

DALY, CROWLEY, MOFFORD & DURKEE, LLP

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Date: March 30, 2006

To: Commissioner for Patents**From: Paul D. Durkee, Esq.****Examiner: Ramy M. Osman****Group Art: 2157****Company: U.S. PTO****Facsimile Number: 571-273-8300****Telephone Number:**

MESSAGE

RE: U.S. Patent Application of Stephen M. Howard, et al.
Entitled: Data Backup System Having A Flexible Restore Architecture
Filed on: January 25, 2001
U.S. Appl. No.: 09/769,604
Our Ref. No.: EMC-002PUS

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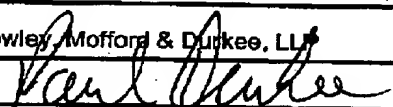
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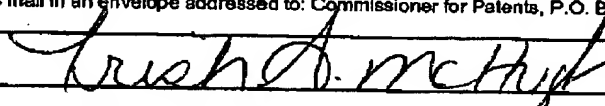
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/769,604
	Filing Date	January 25, 2001
	First Named Inventor	Stephen M. Howard
	Art Unit	2157
	Examiner Name	Ramy M. Osman
	Attorney Docket Number	EMC-002PUS
Total Number of Pages in This Submission		3

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Substance of Interview
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Daly, Crowley, Mofford & Durkee, LLP		USPTO Customer No. 51576
Signature			
Printed name	Paul D. Durkee		
Date	30 Mar 06	Reg. No.	41,003

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Signature			
Typed or printed name	Trish A. McHugh	Date	3-30-06

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/769,604
Applicant : Stephen M. Howard, et al.
Filed : January 25, 2001
T.C./A.U. : 2157
Examiner : Ramy M. Osman

Confirmation No.: 4397

Docket No. : EMC-002PUS
Customer No. : 51576

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I hereby certify that this correspondence is being transmitted via facsimile to Commissioner for Patents at 571-273-8300 or deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

3/30/06Date of Signature
and Mail DepositBy: Trish A. McHugh

SUBSTANCE OF INTERVIEW

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Interview Summary mailed on March 10, 2006, a statement of the substance of the telephone call with the Examiner on February 28, 2006 is set forth below.

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Appl. No. 09/769,604
Reply to Advisory Action dated March 10, 2006

Docket No. EMC-002PUS

In a brief telephone call on February 28, 2006, the clarity of the third paragraph of the Final Office mailed on December 25, 2005, was discussed. Examiner asserted the paragraph was clear. No agreement was reached.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Dated: 30 Mar 06

Respectfully submitted,

DALY, CROWLEY, MOFFORD & DURKEE, LLP

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